

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 7
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232 SEIGEL DEVELOPMENT LLC, <i>et al.</i> ,	:	Case No. 20-22844 (RDD)
	:	
Debtors. ¹	:	Jointly Administered
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**ORDER CONFIRMING SALE OF 232 SEIGEL STREET,
BROOKLYN, NEW YORK FREE AND CLEAR OF
MECHANIC’S LIEN OF 20/20 INSPECTIONS, INC. WITH SUCH
MECHANIC’S LIEN TO ATTACH TO CERTAIN ESCROWED FUNDS**

Upon the motion, dated March 23, 2022 (the “Motion”) of Howard P. Magaliff (the “Trustee”), the chapter 7 trustee of 232 Seigel Development LLC (“Development”) and 232 Seigel Acquisition LLC (“Acquisition” and together with Development, the “Debtors”), for entry of an order confirming that the sale of the real property and improvements thereon located at 232 Seigel Avenue, Brooklyn, New York (the “Property”) is free and clear of the lien thereon of 20/20 Inspections, Inc. (“20/20”); and notice of the Motion and hearing thereon having been given to 20/20 on March 23, 2022 by first class mail, together with copies of the previously approved motion to authorize the sale of the Property [doc. 176] and the Order, dated March 7, 2022 [doc. 194] authorizing the sale of the Property to Abraham Leifer or his designee (the “Purchaser”) pursuant to sections 363(b) and (f) of the Bankruptcy Code (the “Sale Approval Order”) free and clear of liens, claims, encumbrances and interests thereon of whatever kind or nature; and notice of the Motion alone having been given to counsel for DB 232 Seigel LLC and the United States Trustee, by first class mail on March 23, 2022; and such notice to 20/20, DB Seigel LLC, and the United States Trustee being due, adequate and sufficient notice; and no

¹ The Debtors in these chapter 7 cases and the last four digits of each Debtor’s taxpayer identification number are as follows: 232 Seigel Development LLC (0108) and 232 Seigel Acquisition LLC (9782).

opposition to the Motion having been filed or interposed; and a hearing having been held by the Court on May 2, 2022 (the "Hearing") to consider the Motion; and upon the record of the Hearing; and, after due deliberation, the Court having determined that the relief granted herein is appropriate under the facts and applicable law, including that the Trustee has satisfied one or more of the grounds for the sale to be free and clear of 20/20's lien on the Property under section 363(f) of the Bankruptcy Code, with the lien to attach the sale proceeds as provided in the Sale Approval Order, and that such relief is in the best interests of the Debtors' estate, creditors, and parties in interest; now, therefore it is

ORDERED, that the Motion is granted as set forth herein; and it is further

ORDERED, that the Sale Approval Order and the findings of fact and conclusions of law therein are confirmed and adopted herein and shall apply to the mechanic's lien of 20/20; and it is further

ORDERED that pursuant to 11 U.S.C. § 363(f), the sale of the Property is free and clear of the mechanic's lien of 20/20, which lien shall attach to the Escrowed Funds in the same priority and amount, with the same enforceability, and subject to the same defenses as existed immediately before the closing of the sale, subject to further order of the Court; and it is further

ORDERED that Riverside Abstract, LLC is directed to immediately release from escrow and turn over and deliver to the Trustee the Escrowed Funds (as defined in the Motion) in the amount of \$87,885.25 that it is holding from the closing of the sale of the Property; and it is further

ORDERED that all of 20/20's rights as a creditor in the bankruptcy case, including but not limited with respect to the disbursement of the Escrowed Funds by the Trustee are reserved, which funds shall only be disbursed upon further order of the Court; and it is further

ORDERED that this Court shall retain jurisdiction with respect to any dispute under this Order.

Dated: White Plains, New York
May 2, 2022

/s/Robert D. Drain

Hon. Robert D. Drain
United States Bankruptcy Judge